

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, November 1, 2011, 7:00 PM
Large Court Room – City Hall

PRESENT: Board of Mayor and Aldermen
Mayor Dennis R. Phillips, Presiding
Alderman Valerie Joh
Alderman Benjamin K. Mallicote
Alderman Michael McIntire
Vice-Mayor Tom C. Parham
Alderman Tom Segelhorst
Alderman Jantry Shupe

City Administration
John G. Campbell, City Manager
J. Michael Billingsley, City Attorney
James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** State Representative John Lumberg.
- II.B. **INVOCATION:** By Thomas Legg, Pastor – First Church of the Nazarene.
- III. **ROLL CALL:** By City Recorder Jim Demming.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Mayor Phillips noted the attendance of State Representatives John Lumberg and Tony Shipley, as well as Lieutenant Governor Ron Ramsey.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Shupe/McIntire, to approve minutes for the following meetings:

- A. October 17, 2011 Regular Work Session
- B. October 18, 2011 Regular Business Meeting

Approved: All present voting "aye."

***Note:** To accommodate special guests in the audience, Item VI.B.2 was discussed, out of order, at this time. The regular agenda was resumed following this discussion.*

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 6 Part A Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 289-2011).** City Planner Ken Weems provided demographic information on this and the following three

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items. He noted the Planning Commission voted unanimously to send a positive recommendation to the Board.

PUBLIC COMMENT ON ITEM VI.AA.1. Mr. James Brotherton, 204 Patrick Henry Circle, voiced his objection to all four annexation ordinances. He also asked the Board to think about pulling the 100 acre farm from consideration.

Mr. Kent Harris, 216 Lebanon Road and owner of the Slaughter Farm, also asked the Board to consider leaving the farmland off of this annexation.

City Planner Weems explained to the Mayor the different issues that would arise if the farm was not included. Some discussion followed regarding city taxes and the greenbelt designation. Mayor Phillips asked the Board to approve this annexation on the first reading and requested the City Manager to look at all possible ramifications of Mr. Harris' request before the next meeting.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13TH and 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 6 PART A ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG WOODHAVEN DRIVE AND SHADYSIDE DRIVE TO R-1B, RESIDENTIAL DISTRICT, IN THE 13TH AND 14TH CIVIL DISTRICTS OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Joh, to pass:

Resolution No. 2012-080, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 6 PART A ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

2. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Height Area 6 Part B Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 290-2011). See Item VI.AA.1.

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PUBLIC COMMENT ON ITEM VI.AA.2. None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 6 PART B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG SCENIC COURT, BEECHWOOD DRIVE, AND PARKWAY DRIVE TO R-1B, RESIDENTIAL DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2012-081, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 6 PART B ANNEXATION OF THE CITY OF KINGSPORT, TENNESSEE

Passed: All present voting "aye."

3. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 6 Part C Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 291-2011). See Item VI.AA.1.

PUBLIC COMMENT ON ITEM VI.AA.3. None.

Motion/Second: McIntire/Joh, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 6 PART C ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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Motion/Second: Segelhorst/Parham, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG KENDRICK CREEK ROAD, TIFFANY COURT, QUAIL HEIGHTS COURT, MOURNING DOVE DRIVE, TEAL COURT, PARTRIDGE PLACE, AND PHEASANT COURT TO R-1B, RESIDENTIAL DISTRICT, AND R-3, LOW DENSITY APARTMENT DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: McIntire/Shupe, to pass:

Resolution No. 2012-082, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 6 PART C ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

4. Public Hearing and Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 6 Part D Annexation and Consideration of a Resolution Adopting the Plan of Services (AF: 292-2011). See Item VI.AA.1.

PUBLIC COMMENT ON ITEM VI.AA.4. None.

Motion/Second: McIntire/Shupe, to pass:

AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 6 PART D ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSFORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

Motion/Second: Joh/Shupe, to pass:

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MEADOW LANE, QUAIL HILL CIRCLE, ARLINGTON CIRCLE, ARLINGTON PLACE, ARLINGTON DRIVE, ARLINGTON COURT, WRENWOOD COURT, COUNTRYSHIRE COURT, MEADOW CREST DRIVE, MEADOW GLADE CIRCLE, MEADOW GLEN CIRCLE, AND MEADOW DALE CIRCLE TO R-1B, RESIDENTIAL DISTRICT, IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS Passed on first reading: All present voting "aye."

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Motion/Second: McIntire/Parham, to pass:

Resolution No. 2012-083, A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE COLONIAL HEIGHTS AREA 6 PART D ANNEXATION OF THE CITY OF KINGSFORT, TENNESSEE

Passed: All present voting "aye."

A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items.

Mr. James Brotherton asked about the plan of services for the annexed areas to which City Planner Weems explained the standard timeline. Mayor Phillips asked Mr. Weems to provide a copy of the plan of services to Mr. Brotherton.

Mr. John Willis, 409 Bays Cove Trail, commented in opposition of Item VII.8 regarding the Stormwater Management Utility. Public Works Manager Ryan McReynolds explained the governmental mandates that require the City to take action. Mayor Phillips noted that now our actions are minimal, however, if we fail to act, the state and federal governments will come in and make us do much more.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of an Ordinance Appropriating Funds Received from KCVB as a Reimbursement for Improvements to the Batting Cages at Domtar Park (AF: 295-2011).

Motion/Second: Parham/McIntire, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BY APPROPRIATING FUNDS RECEIVED FROM DONATIONS FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Consideration of an Ordinance Establishing the Border Region Retail Tourism District (AF: 293-2011). Community and Government Relations Director Tim Whaley provided information on this item, commenting on a landmark piece of legislation regarding 950 acres of property in the area of the Interstate 81 and Interstate 26 interchange. He further discussed a special taxation district that would allow the local economy to keep 59% of sales taxes for 30 years to reinvest in the same area. Tennessee Lieutenant Governor Ron Ramsey provided a brief background on this project and the elements for success in the state of Tennessee. State Representative John Lumberg and Tony Shipley also spoke in favor of this endeavor. Allen Borden, the Regional Director of the Northeast Tennessee region's Economic and Community Development office expressed his support as well. Alderman Joh moved to amend the ordinance to include a copy of the map depicting the property in question. Alderman McIntire seconded this motion with all present voting "aye."

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Motion/Second: Shupe/Parham to pass as amended:

AN ORDINANCE ESTABLISHING A BORDER REGION RETAIL TOURISM DEVELOPMENT DISTRICT AND DESIGNATING THE BOUNDARIES THEREOF; AUTHORIZING THE MAYOR AND OTHER OFFICERS TO PERFORM THE ACTS NECESSARY TO OBTAIN CERTIFICATION OF THE DISTRICT; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE ORDINANCE; AND FIXING THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

C. BUSINESS MATTERS REQUIRING FINAL ADOPTION.

1. Consideration of an Ordinance to Amend Zoning of a Portion of Parcel 25.00 in Tax Map 77-A Located on Bradley Street from TA Zoning to P-1 Zoning (AF: 252-2011).

Motion/Second: McIntire/Shupe, to pass:

ORDINANCE NO. 6129, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO FT. HENRY DRIVE AND BRADLEY STREET FROM TA, TOURIST ACCOMMODATION DISTRICT TO P-1, PROFESSIONAL OFFICE DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Consideration of an Ordinance to Amend Zoning of Parcels 14.00 and 15.00 in Tax Map 77-I Located on Wesley Road and Ft. Henry Drive from M-1R Zoning to P-1 Zoning (AF: 253-2011). Planning Manager Lynn Tully stated that she talked to the business owner since the last meeting and he understands the rezoning. She further stated they discussed his plans for expansion and the potential exists that he will outgrow his current location and will need to relocate. She noted that the City will work with him throughout the process and stressed that the reason for future relocation has nothing to do with the rezoning request.

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6130, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO REZONE PROPERTY ADJACENT TO WESLEY ROAD AND FT. HENRY DRIVE FROM M-1R, RESTRICTED INDUSTRIAL DISTRICT TO P-1, PROFESSIONAL OFFICE DISTRICT IN THE 11TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 5 Part A Annexation (AF: 262-2011).

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Motion/Second: McIntire/Joh, to pass:

ORDINANCE NO. 6131, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 5 PART A ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: Parham/Segelhorst, to pass:

ORDINANCE NO. 6132, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG EDMOND CIRCLE, GROVE DRIVE, SYLVAN DRIVE, AND LEBANON ROAD TO R-1B, RESIDENTIAL DISTRICT, AND R-3, LOW DENSITY APARTMENT DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

4. Consideration of Ordinances to Annex/Amend Zoning of the Colonial Heights Area 5 Part B Annexation (AF: 263-2011).

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6133, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 5 PART B ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: Parham/Joh, to pass:

ORDINANCE NO. 6134, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG MEADOW LANE, WHITE OAK LANE, OAK COURT, AND LINDKAYE DRIVE TO R-1B, RESIDENTIAL DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

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Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**5. Consideration of Ordinances to Annex/Amend Zoning of the
Colonial Heights Area 5 Part C Annexation (AF: 264-2011).**

Motion/Second: McIntire/Parham, to pass:

ORDINANCE NO. 6135, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 5 PART C ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

Motion/Second: Parham/Joh, to pass:

ORDINANCE NO. 6136, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG COLONIAL VIEW DRIVE, BEECHWOOD COURT, BEECHWOOD DRIVE, AND EDGEWOOD CIRCLE TO R-1B, RESIDENTIAL DISTRICT IN THE 14TH CIVIL DISTRICT OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

**6. Consideration of Ordinances to Annex/Amend Zoning of the
Colonial Heights Area 5 Part D Annexation (AF: 265-2011).** Alderman Joh made a motion to amend the ordinance by changing 14th Civil District in the caption to 13th and 14th Civil District and changing Civil District No. 14 in section 1 to Civil Districts No. 13 and 14. Alderman Shupe seconded this motion with all present voting "aye."

Motion/Second: McIntire/Parham, to pass as amended:

ORDINANCE NO. 6137, AN ORDINANCE TO ANNEX THAT CERTAIN TERRITORY ADJOINING THE PRESENT CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, EMBRACING THAT CERTAIN PART OF THE 13th and 14TH CIVIL DISTRICTS OF SULLIVAN COUNTY, TENNESSEE, AND KNOWN AS THE COLONIAL HEIGHTS AREA 5 PART D ANNEXATION, AS HEREINAFTER DESCRIBED; TO INCORPORATE THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF KINGSPORT, TENNESSEE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

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Motion/Second: Joh/Shupe, to pass as amended:

ORDINANCE NO. 6138, AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT AND MAP, TO ZONE PROPERTY ALONG BEECHWOOD DRIVE AND FOOTHILLS ROAD TO R-1B, RESIDENTIAL DISTRICT IN THE 13TH AND 14TH CIVIL DISTRICTS OF SULLIVAN COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

NOTE: At this time, Mayor Phillips recognized a high school student who was attending for government class credit.

D. OTHER BUSINESS.

1. Consideration of a Resolution Authorizing the Mayor to Execute a Right-of-Way Easement with Kingsport Power Company (AF: 288-2011).

Motion/Second: Parham/Joh, to pass:

Resolution No. 2012-084, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RIGHT-OF-WAY EASEMENT WITH KINGSFORT POWER COMPANY

Passed: All present voting "aye."

2. Consideration of a Resolution Approving an Application for and Receipts of a Library Services and Technology Act (LSTA) Grant to Purchase Technology Equipment and Services, Authorize the Mayor to Execute All Documents and Agreements for the Same (AF: 287-2011).

Motion/Second: Segelhorst/Shupe, to pass:

Resolution No. 2012-085, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A GRANT FROM LIBRARY SERVICES AND TECHNOLOGY ACT TO PURCHASE TECHNOLOGY EQUIPMENT AND DEVICES FOR THE KINGSFORT PUBLIC LIBRARY

Passed: All present voting "aye."

3. Consideration of a Resolution Awarding the Bid for Rock Springs Valley Area Sanitary Sewer Facilities and Waterline Improvements and Authorize the Mayor to Sign All Applicable Documents (AF: 296-2011).

Motion/Second: McIntire/Segelhorst, to pass:

Resolution No. 2012-086, A RESOLUTION AWARDED THE BID FOR ROCK SPRINGS VALLEY AREA SANITARY SEWER FACILITIES AND WATERLINE IMPROVEMENTS TO MERKEL BROTHERS CONSTRUCTION AND AUTHORIZING THE MAYOR TO SIGN AN AGREEMENT FOR THE SAME AND ALL DOCUMENTS

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NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

4. Consideration of a Resolution Awarding the Bid for the Purchase of Two (2) Diesel Powered Single Axle Dump Trucks to Smoky Mountain Truck Center, Inc. (AF: 297-2011). Mayor Phillips noted that at the next work session, the Board would be discussing the bid process and the possibility of making changes and/or improvements.

Motion/Second: Segelhorst/Parham, to pass:

Resolution No. 2012-087, A RESOLUTION AWARDED THE BID FOR PURCHASE OF TWO DIESEL POWERED SINGLE AXEL DUMP TRUCKS TO SMOKY MOUNTAIN TRUCK CENTER, INC. AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER FOR THE SAME

Passed: All present voting "aye."

5. Consideration of a Resolution Extending the Award of the Bid for the Purchase of Rental Uniform Services to Aramark Uniform Services (AF: 298-2011).

Motion/Second: Shupe/Parham, to pass:

Resolution No. 2012-088, A RESOLUTION EXTENDING THE AWARD OF BID FOR THE PURCHASE OF RENTAL UNIFORM SERVICES TO ARAMARK UNIFORM SERVICES

Passed: All present voting "aye."

6. Consideration of a Resolution Authorizing the Purchase of the Pet Dairy Property Located at 1113 Konnarock Rod and Authorize the Mayor to Execute a Purchase Agreement and Sign All Applicable Documents (AF: 299-2011). City Manager Campbell noted that the final purchase would be contingent upon an appraisal as well as a Phase II environmental study, noting there had not been any issues with the Phase I study. Alderman McIntire questioned the necessity of this purchase, pointing out it would be taken off of the tax rolls. Public Works Director Ryan McReynolds explained the features and benefits of this parcel, noting only minimal improvements were needed. Mr. McReynolds also stated that if the Traffic Department relocated to this facility, then that would free up the building they are currently using on Cumberland Street.

Motion/Second: Joh/Segelhorst, to pass:

Resolution No. 2012-089, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER FOR THE PURCHASE OF THE PET DAIRY PROPERTY LOCATED AT 1113 KONNAROCK ROAD, KINGSFORT, TENNESSEE

Passed: All present voting "aye."

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7. Consideration of Initial and Detailed Bond Resolutions Authorizing the Issuance of General Obligation Public Improvement Bonds in an Amount Not to Exceed \$16,250,000 (AF: 301-2011). City Manager Campbell provided details on this item, commenting that the initial resolution would establish interest in a bond sale. He further stated that all but three projects had already been approved, as the City is trying to get better with long-term planning. Vice-Mayor Parham pointed out that revenue sources should also be looked at. Mayor Phillips stated that if the initial resolution was approved, that did not necessarily mean the detailed resolution would be approved at the next meeting. He reminded the Board of the additional three million dollars already obligated for the Aquatic Center. The Mayor also said he would like to see the projected debt for the next three years as well as the roll-off in 2015.

Motion/Second: Joh/Parham, to pass:

Resolution No. 2012-090, INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$16,250,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS OF THE CITY OF KINGSFORT, TENNESSEE, TO PROVIDE FUNDING FOR CERTAIN PUBLIC WORKS PROJECTS AND TO FUND THE INCIDENTAL AND NECESSARY EXPENSES RELATED THERETO

Passed: All present voting "aye."

~~RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE, AND PAYMENT OF NOT TO EXCEED \$16,250,000 GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, IN ONE OR MORE SERIES, OF THE CITY OF KINGSFORT, TENNESSEE, AND PROVIDING THE DETAILS THEREOF.~~

This item was pulled from the agenda.

E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of an Appointment to the Board of Zoning Appeals (AF: 294-2011).

Motion/Second: Joh/Shupe, to approve the following:

APPOINTMENT OF MS. DIANE HILLS TO FILL UNEXPIRED TERM OF JOHN CALDWELL ON THE **BOARD OF ZONING APPEALS**, EFFECTIVE IMMEDIATELY AND EXPIRING MAY 31, 2012

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Parham/Joh, to adopt:

1. Consideration of an Ordinance to Appropriate Cultural Arts Funding Received from Donations (AF: 272-2011).

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Adopt:

Ordinance No. 6139, AN ORDINANCE TO AMEND THE GENERAL PROJECT-SPECIAL REVENUE FUND BY APPROPRIATING FUNDS RECEIVED FROM GRANTS AND DONATIONS FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

2. Consideration of a Budget Ordinance Appropriating a Fee in Lieu of Construction for Sidewalks from Darden Restaurants (LongHorn Steakhouse) (AF: 268-2011).

Adopt:

Ordinance No. 6140, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING FUNDS RECEIVED FROM DARDEN RESTAURANTS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

3. Consideration of an Ordinance to Appropriate Grant Funds Approved by the Department of Justice, Justice Assistance Grant Program (JAG) in the Amount of \$30,687.00 for the Purchase of Equipment and Technology (AF: 277-2011).

Adopt:

Ordinance No. 6141, AN ORDINANCE TO AMEND THE JUSTICE ASSISTANCE GRANT FUND BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE DEPARTMENT OF JUSTICE FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

4. Consideration of an Ordinance to Appropriate the Funds for a Materials Agreement with Danny Karst Related to Edinburgh Phase 2 Section 2B (AF: 279-2011).

Adopt:

Ordinance No. 6142, AN ORDINANCE TO AMEND THE WATER AND SEWER PROJECT FUNDS BY TRANSFERRING FUNDS TO THE EDINBURGH PHASE 2 SECTION 2B MATERIALS AGREEMENT PROJECTS (WA1275 AND SW1275); AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

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5. Consideration of an Ordinance to Amend the FY12 General Purpose School Fund Budget and the General Projects Fund Budget (AF: 282-2011).

Adopt:

Ordinance No. 6143, AN ORDINANCE TO AMEND THE GENERAL PURPOSE SCHOOL FUND AND THE GENERAL PROJECTS FUND BUDGETS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

6. Consideration of an Ordinance to Appropriate Funds Received from the Area Agency on Aging and Disability Grant (AF: 274-2011).

Adopt:

Ordinance No. 6144, AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET BY APPROPRIATING ADDITIONAL FUNDS RECEIVED FROM THE AREA AGENCY ON AGING AND DISABILITY GRANT FOR THE YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

7. Consideration of an Ordinance to Transfer Funds from Cleek Road and Harbor Chapel Road to Fordtown Road, Sullivan and Clinchfield Street and Bays Mountain Park Road (AF: 273-2011).

Adopt:

Ordinance No. 6145, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY TRANSFERRING FUNDS FOR ROAD PROJECTS FOR THE FISCAL YEAR ENDING JUNE 30, 2012; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

8. Consideration of an Ordinance to Amend the Kingsport Code of Ordinances Chapter 106, Utilities for Stormwater Management, Establishing the Function of the Utility, Creating an Enterprise Fund and Method of Funding for the Utility (AF: 285-2011). City Manager Campbell noted the fees would not be set until the first meeting in December.

Adopt:

Ordinance No. 6146, AN ORDINANCE TO AMEND THE KINGSFORT CODE OF ORDINANCES CHAPTER 106, UTILITIES TO ESTABLISH A UTILITY FOR STORMWATER MANAGEMENT; TO ESTABLISH THE FUNCTION OF THE UTILITY;

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TO CREATE AN ENTERPRISE FUND AND METHOD OF FUNDING FOR THE UTILITY; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, McIntire, Parham, Segelhorst, Shupe and Phillips voting "aye."

VIII. COMMUNICATIONS.

A. CITY MANAGER. Mr. Campbell thanked city employees for exceeding the United Way goal this year. He also pointed out that employee Greg Willis won an award of merit at a recent Public Works conference. Lastly, Mr. Campbell confirmed to the Board that the long-term lease with Eastman for the fire training facility had been finalized.

B. MAYOR AND BOARD MEMBERS. Alderman McIntire congratulated the Dobyys-Bennett and Sullivan North high school football teams for a perfect season. It was also noted that Sullivan South was in the play-offs as well.

Alderman Joh commented on the Christmas Connection this Friday, Saturday and Sunday at the Civic Center, noting the Carousel project would have a booth set up.

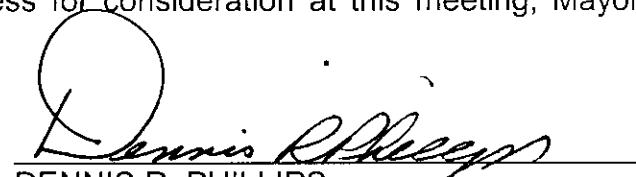
Mayor Phillips pointed out an article in the newspaper recognizing a Kingsport Police Department K-9 for receiving "top dog certification." Mr. Phillips noted that the new Kingsport Food City was featured in *Grocery Headquarter* magazine. The Mayor also stated he was proud of exceeding the United Way goal, noting there was still time to donate. Additionally, the Mayor thanked the more than 60 city employees who have volunteered to deliver "Meals on Wheels" in Kingsport.

C. VISITORS. Mr. Kent Harris, 216 Lebanon Road, had Police Chief Gale Osborne clarify jurisdictional information for the newly annexed areas in Colonial Heights.

Ms. Robin Poore, 1945 Greenway Street, commented on animal control issues and requested stronger legislation regarding vicious dogs. Mayor Phillips stated he would schedule a meeting between her and the City Manager to further discuss this issue.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 9:15 p.m.


ANGELA MARSHALL
Deputy City Recorder


DENNIS R. PHILLIPS
Mayor